



YOUR GOALS. OUR MISSION.

KUPB-R2050

August 2, 2021

Keyport Unified Planning Board
70 West Front Street
Keyport, New Jersey 07735

Via email and mail

Attn: Denise Nellis, Recording Secretary

**Re: 5 Therese Avenue– Minor Subdivision (21-06)
Block 9, Lots 35 & 36
First Completeness, Engineering & Planning Review**

Dear Board Members:

As requested, we have reviewed the following documents submitted by the applicant in support of this applications:

1. Planning Board Application, dated July 1, 2021, consisting of seven (7) sheets.
2. Site Plan Application, undated, consisting of three (3) sheets.
3. Minor Subdivision Plan & Survey, prepared by Richard Karl Heuser, P.E. & L.S., dated June 21, 2021, consisting of one (1) sheet.
4. Plot Plan for Lot 35, Block 9, prepared by Richard Karl Heuser, P.E. & L.S., dated January 20, 2021, consisting of one (1) sheet.
5. Plot Plan for Lot 36, Block 9, prepared by Richard Karl Heuser, P.E. & L.S., dated January 20, 2021, consisting of one (1) sheet.
6. Architectural Plans, prepared by Chris J. Perrino, R.A., dated September 14, 2015, consisting of three (3) sheets.

A. Project Description

The applicant is seeking minor subdivision approval with bulk variance relief to subdivide the existing parcel and construct two (2) single family dwellings and associated driveways. The applicant will require lot area, lot width and combined side yard setback variance relief.

The subject property, consisting of approximately 9,200 square feet, is located on the easterly side of Therese Avenue, near the northerly terminus of the roadway. The site is currently vacant, but was previously developed with a single family dwelling. The entirety of the site is located within the Residential District A (RA) Zone. Single family dwellings are a permitted use in the zone.



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Zoning Data: Residential District A (RA) Zone

	REQUIRED	PROPOSED LOT 35	PROPOSED LOT 36
Minimum Lot Requirements			
Minimum Lot Area	5,000 SF	4,600 SF (V)	4,600 SF (V)
Minimum Lot Width	50 feet	40 feet (V)	40 feet (V)
Principal Building Setbacks			
Front Setback	20 feet	20 feet	20 feet
Side Setback	6 feet	6 feet	6 feet
Combined Side Setback	16 feet	12 feet (V)	12 feet (V)
Rear Setback	15 feet	45 feet	45 feet
Maximum Building Height			
Principal Building Stories	2.5 stories	2.5 stories	2.5 stories
Principal Building Feet	30 feet	< 30 feet	< 30 feet
Maximum Percent Lot Coverage			
Total Buildings	40%	26.4%	26.4%
All Buildings & Impervious Surface	60%	34%	34%
Front Yard Coverage By Parking	30%	6.5%	6.5%

(V): "c" Variance Required.

B. Completeness Review

Based on our review of the variance completeness checklist, the following items must be submitted, or completeness waivers must be granted prior to the application being deemed complete:

Preliminary Site Plan, Waivers and Variance:

Item 2.D. All lot lines, approximate location of all structures and owners of lots within two hundred (200) feet of the site. ***I have no objection to the Board granting a completeness waiver for this item, provided the applicant revises the plans to include all structures within 200 feet of the site.***

Item 2.J. The following legends shall be on the site plan map:

Site plan of _____

Block _____ *Lot* _____ *Zone* _____

Date _____ *Scale* _____

Applicant _____

Address _____



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I consent to the filing of this site plan with the Planning Board

(Owner) (Date)

I hereby certify that I have prepared the site plan and that all dimensions and information thereon depicted is correct.

(Name) (Title & License)

I have reviewed this site plan and certify that it meets all codes and ordinances under that jurisdiction

(Date) (Municipal Engineer)

Approved by Planning Board:

Preliminary _____

Final _____

(Chairman) (Date)

I have no objection to the Board granting a completeness waiver for this item, provided the applicant revises the plans to include the same.

- Item 3. Certification by Borough Tax Collector that all taxes including current taxes are paid. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant submits proof of taxes paid prior to the public hearing.*
- Item 4. Payment of all applicable fees for preliminary site plan review. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant pays all applicable fees prior to the public hearing.*
- Item 5. Submission of Environmental Impact Statement. *Since the applicant is only proposing two single family dwellings on a previously improved lot, I have no objection to the Board granting a completeness waiver for this item.*
- Item 6. Soil Erosion and Sediment Control Permit and Soil Conservation. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant*



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obtains a permit or exemption from Freehold Soil Conservation District as a condition of approval.

- Item 7. Stormwater Management Plan. *Since the applicant is only proposing two single family dwellings on a previously improved lot, I have no objection to the Board granting a completeness waiver for this item.*
- Item 10. Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant provides the disclosure prior to the public hearing.*
- Item 15. Owners signed Certificate of Concurrence with the plan. *I have no objection to the Board granting a completeness waiver for this item, provided the Certificate of Concurrence is signed as a condition of approval.*

Final Site Plan:

- Item 3. Payment of all Final Site Plan Filing Fees. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant pays all applicable fees prior to the public hearing.*
- Item 4. Payment of Performance Guaranty in favor of municipality approved by Borough Attorney and Borough Engineer. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant posts a performance guarantee as a condition of approval.*
- Item 5. Soil removal permit signed by Borough Engineer. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant obtains a soil removal permit as a condition of approval.*
- Item 7. Engineer Inspection Fees. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant posts the required fees as a condition of approval.*
- Item 8. Certification from Tax Collector that all taxes are current on the property through the current month quarter. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant submits proof of taxes paid prior to the public hearing.*
- Item 9. Permits from other authorities upon which approvals were conditioned. *I have no objection to the Board granting a completeness waiver for this item, provided that the applicant all outside permits as a condition of approval.*



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C. Fee Calculation

The Application and Escrow Fees are calculated below:

Site plan “C” Variances	Application Fee \$75.00 (\$25.00/variance)	Escrow Fee \$200.00
Total	\$75.00	\$200.00

The applicant is required to post any remaining balance prior to the application being schedule for public hearing.

D. Planning and Engineering Review

1. Since both Lots 35 and 36 are both under a common ownership, the lots are considered merged and lot lines must be ignored pursuant to the Municipal Planning Act of 1953.
2. In *Loechner v. Campoli*, 49 N.J. 504, it was established that the owner may not sell the whole number of such lots which he owns without obtaining subdivision approval from the planning board. If the lots resulting from the proposed subdivision would meet all requirements of the zoning ordinance, other than lot size or dimensions, the planning board may approve the subdivision, subject to the granting of variances.
3. The minimum lot area in the RA Zone of the Borough is 5,000 SF, whereas 4,600 SF is proposed. Therefore, a variance is required.
4. The minimum lot width in the RA Zone of the Borough is 50', whereas 40' is proposed. Therefore, a variance is required.
5. The minimum combined side yard setback in the RA Zone of the Borough is 16', whereas 12' is proposed. Therefore, a variance is required.
6. The applicant shall provide testimony to address the positive and negative criteria for the requested 'c' variances. The applicant's testimony should focus on the following:
 - a. Positive Criteria: The applicant shall provide testimony to the board regarding the physical conditions of the property and how the strict application of the provisions of the ordinance would result in a hardship that is inconsistent with the purpose and intent of the ordinance. Alternatively, the applicant may testify that the required variance furthers the purposes of the Municipal Land Use Law and that the benefits of granting the variance will substantially outweigh any detriments.
 - b. Negative Criteria: The applicant must demonstrate that the variance can be granted without substantial detriment to the public good, and that the granting of the variance will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.



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6. The site is not located in a flood zone and therefore is not subject to the Borough Flood Damage Prevention Ordinance.
7. RSIS required 2.5 parking spaces for a single family detached dwelling with 4 bedrooms. Currently there are 2 parking spaces proposed for each dwelling. The applicant shall provide testimony regarding how the parking requirement will be met.
8. The location of the garage as shown on the architectural plans does not agree with the plot plans. The applicant shall revise the plans accordingly.
9. The plans shall be revised to show the location of the utility connections to Lot 36. The applicant shall specify the location of gas, electric and any telecommunication lines for the dwellings. The proposed pavement repair shall be extended over all utility connections.
10. The existing concrete curb and depressed curb for the previously existing dwelling shall be removed. The plans shall be revised to indicate the same.
11. The applicant shall revise the plans to show the location of the steps along the rear of the dwellings.
12. The applicant shall specify if there will be any fencing or landscaping proposed as part of the site improvements.
13. The plans shall be revised to provide details for the proposed paved driveway, concrete curb and pavement repair. All details shall be in accordance with the Borough Ordinance.
14. The plans shall be revised to specify the material of the walkway from the driveway to the porch. Details of the same shall be added to the plan.
15. The applicant will be required to repair any pavement, curb or sidewalk that is damaged as a result of the proposed improvements to the satisfaction of the Borough Engineer. A note indicating the same shall be added to the plans.
16. The applicant should confirm that the property is not subject to any existing easements, deed restrictions and/or covenants.
17. The applicant will be required to obtain any necessary municipal building permits if any are required.



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If you have any questions or require additional information, please do not hesitate to call.

Very truly yours,

T&M ASSOCIATES

FRANCIS W. MULLAN, P.E., C.M.E.
PLANNING BOARD ENGINEER

STANLEY SLACHETKA P.P., A.I.C.P.
PLANNING BOARD PLANNER

FWM:DMD:AWD:lkc

c: Marc Leckstein, Planning Board Attorney
Mark Sessa, Planning Board Chairman
Richard Mongelli, Applicant's Attorney
Richard Karl Heuser, Applicant's Engineering
Robert Devino, Applicant, 15 Washington Avenue, Aberdeen, NJ 07747